

App F IX 4

Previous References

Mc 121-36 (1, 7)

1941

(Mc)

Mc File No 56 — 41

Serial Nos 3, 4, 21

Later References

Mc 40-46 (59, 60)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

three

Part B for

August, 1941

SUBJECT

Election of Mr B Thippanna as Vice-President of
Chellakere Minor Municipal Council and the
amendment of the rules regulating the election
of Vice-Presidents of Minor Municipal Councils

To

The Compiler, Mysore Gazette

sl 4)

L 525 dt 24 7-41

Notifies the election
to the D.C. Chitaldrug

L 526 dt 24-7-41

Forwards a copy

To

The Compiler, Mysore Gazette

sl 21)

L 1581 dt 20-8-41

Notifies the amendment of the rules

to the D.C. of District

L 1582-90 dt 20-8-41

Forwards a copy to the above

Amended
4/12/41

4382 Election of Mr B Thippanna as Vice-President
Chettakere Minor Municipal Council

General and Revenue
Secretariat

File No

of 194

[App F III-2

Serial
No

From Mr. D.C. Chitaldung Dist
A 6 C. 2139/40-41 D 6-3-41

Solicits instructions as to whether
the withdrawal of candidature by
one of the candidates for election
to Vice Presidency as Vice Pres.
of the Minor Municipal Council is
regular and whether the said
withdrawal may be accepted
by the President.

The facts of the case are
briefly as follows

1. Mr B Thippanna
2. S Sura Nair
3. T Affar Sheriff
4. B Padmanabha Rao

1 Of the marginally noted
four candidates, serial No 3
withdrew his candidature in writing
and sent it to the President who
accepted the same.

An objection petn preferred by
certain Municipal Councillors against
the election of Mr Thippanna urges
among other reasons for setting
aside his election, that the
rules regulating the election
of the Vice President of a minor m.c.
do not
contemplate the withdrawal of the
candidature by a candidate or
nominee nor do they authorise
the President to accept such a
withdrawal when tendered

3 As the other allegations contained

'V'

Serial
No

in the petn refer to undue influence,
which are under separate inquiry,
fraud etc., the D.C. Chittdg
solicits a clarification of the point
re. the withdrawal of candidature
by Mr. Affan Sheriff.

Subd. for orders

Q. 1/3 If the election rules as they
stand are defective it is therefore
necessary to add a rule as

follows as 7 A to the rules regulating
the election of President of Town & Min.

It is :-

7 A. Candidates may withdraw at
any stage before the poll has commenced.

5. In the meanwhile the D.C. Chittdg
Distt may be informed that the contents
put forward by the petitioner is correct.

For
P/1/1/1 6.5th Feb 41 was fixed for
the nomination of candidates
and 14th Feb 41 for holding the
elections. On 8-2-41 Mr. Affan
Sheriff signified his intention
to withdraw from his candidature
6 days before the date of
election. The President could take
shelter under Rule 4 of the Election
Rules and defend his action by saying
that he had published announcement.

Vice Presidents Election - Chellukere

General and Revenue
Secretariat

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of 194 41

[App F III-2]

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No

the names of the candidates full
5 days before the date of election
and that the petitioners could have
objected them alone.

A The rules however are defective
in this respect and will have to be
amended as suggested above

Vide para
8 & 9 of his letter

B

8. The DC has promised a
further ^{report} on this matter which will
be awaited

C

Meanwhile the DC may be
informed that the contention put
forward by the Petitioners is correct
as suggested above.

10. Orders are solicited on
A & B & C

Law Secy) 10/7/41

684
6/11

11) Await further report from
the DC

Hm
10/7/41

mkrs

12) It is respectfully submitted
that the Dy Commr, Chitaldrug Dist.
has solicited instructions as to whether
the withdrawal of candidature in this case
can be accepted (vide notation marked A)

Election of Vice-President - Chhalkere Municipality

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General and Revenue Secretariat

Serial No

on page 4 of the p v D) and he may perhaps be awaiting a reply from this office

13) Under the existing rules regulating the election of Vice-presidents in the Town and Minor Municipalities, there is no provision to allow the Candidates to withdraw their Candidature and this is to be considered as a defect in these rules as the Candidates are entitled to this privilege as in the Case of other elections

14) It is therefore proposed to add a rule, corresponding to rule 14(2) of the rules regulating the election of members to the Town Municipal Councils, to the existing rules regulating the election of Vice-presidents of Town and Minor Municipalities, and a draft notification is accordingly submitted for approval or other orders

15) Regarding the point raised by the Dy Commr, as to whether the withdrawal of the Candidature in the election of for the Vice-presidentship of Chhalkere Municipality, he has perhaps to be informed that action that the action of the President in having accepted the withdrawal of the Candidature is technically irregular, which may however be condoned by Govt,

A

B

Election of Vice-President, ~~Chella~~ Municipal

General and Revenue
Secretariat

File No

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[App F III-2

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No

under rule 14 of the Rules regulating the election of vice-presidents in the Minor Municipalities if the election is proper in other respects, and therefore he has to forward his further report - promised in the matter, for the consideration and orders of Govt -

16) The two points A + B *supra*, are submitted for orders

Time
21.4.41

17) More than three months ~~for~~ are over the further report promised has not yet been received

18) In regard to the coming of the rule - as proposed above,

it cannot apply to this case retrospectively even though it is now in force. Hence action to come the same may be taken later on in a separate file

19) The point on which the ~~Dec~~ Chitaldoy has sought the instructions of Govt - is whether the President's action in having accepted the withdrawal application

Vice President - Chellakere Nimmally

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of 1940

General and Revenue
Secretariat

Serial
No

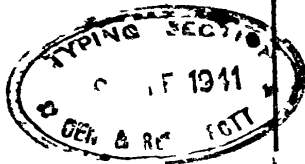
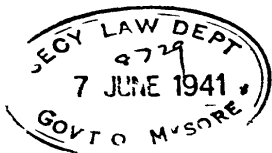
of the candidate Mr. Affan Sheriff
is correct, in the absence of the
provision of a rule to that effect
in the rules regulating the election
of Vice Presidents of the Union. It is
no doubt true that there is
no rule authorising the withdrawal of
Candidature of applicants for the
Vice Presidency. But that does not
by itself vitiate the election nor
does it amount to a material
irregularity as the practice
in vogue was followed as in other
Unions in this respect. Further, it has
to be borne in mind that Mr.
Affan Sheriff himself attended the
election meeting on the 14th Feb 1941.
The appellants could have brought
forward this contention at the meeting
itself. The presence of Mr. Affan Sheriff
at the meeting is a strong fact for Mr.
Nimmally shows that he withdrew
his candidature of his own free will.
Hence this contention set forth as a

Serial
No

ground for cancelling the election
held is not tenable.

9) A draft letter to the D.C. Chitalding
is sub-⁵ for approval.

for 21) Will issue if approved
Law Secy) 11/6/41



22) Hw 11/6/41

23) Hw 11/9/41

✓
Sas A

10.

The D.C. Chitalding Dist.
Makes certain observations
in the matter and calls for a
report
from

The D.C. Chitalding Dist.
A 6 C 2139/40-41 D12-7-41
For the report called for

1) The report of the enquiry held by the
S.D.O. Chitalding does not disclose any
material irregularity to vitiate the election.
The D.C. agrees with the S.D.O.

2) Dft Nafin declaring Mr. Thippanna as
the President is sub-⁵ for appl.

9/6/7 This may be approved as the
S.D.O. has recommended. The
for, after issue of this notification
action will be taken to amend

Vice President - Bellakere Muni MB -

File No

320
2 of 194

General and Revenue
Secretariat

Serial
No

existing
the Law so as to permit candidates
who are unwilling to stand for
election to withdraw their
candidatures before the poll
commences

Law Secy 16-7

) May be approved
(Minstr)
2/5

Hm
17/7/41

17

449
171

OFFICE OF THE MINISTER FOR L S G & P H	
Date	18/7/41
No	328

28) Approved and action
may be taken to amend the
rules.

Hm
22-7-41

Hm
2
23/7/41

28) May the draft n/m which has
been already approved in the past
for 28/7/41
After it is done, action will
be taken on the other point
as per order above

23-7

To

The Compiler Mys 9a
No 2525 dated 24-7-41

Notifies the election of Mr B Thippaanna as
Vice-President of the Bellakere Muni MB

Serial
No

A new rule enabling the candidates standing for the election of Vice-presidents, to withdraw their candidature, will be added as sub rule 6 A, to the existing rules regulating the election of Vice-presidents of Town and Minor Municipal Councils, as directed in para 28 supra.

Submitted with a draft notification dated 8-8-41 for sanction of the Government - for approval

May be approved
Law Secy) 11/8-8

Minster)
L S S

Hm
9/8/41

Hm

Hm

9 8 41

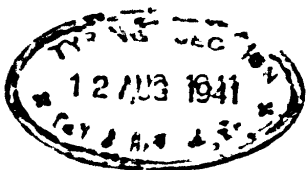
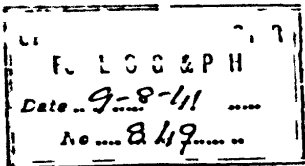
Hm
11/8/41

Issue both

11/8-8

To The Comptroller Mys Govt
No L 15-71 d 20 8-41

Directs the addition of a rule 6 A, to the rules regulating the election of Vice-presidents of Town M.C.s



ML File No 56

52-01

of 1941

General and Revenue
Secretariat

Serial
No

20

The Computer Mrs 902

No L 15-81-d 20 8-41

Directs the addition of a rule
as 6A to the Rules regulating the
election of Vice-President of
Minor Models

21

✓

~~Passing~~

B

5/2/41

7

Tel Address —Depcom
CHITALDRUG

In reply please refer to
No AG C 2139/40-41
Enclosures Four

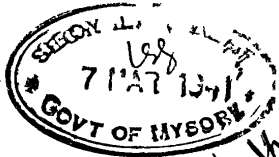
4382
2
OFFICE OF THE DEPUTY COMMISSIONER,
CHITALDRUG DISTRICT

Dated Chitaldrug, 6th March 1941

FROM

R P MALLAPPA, Esq, B A , LL B ,

Deputy Commissioner,
Chitaldrug District,
CHITALDRUG



To

H V Narayana Rao, Esq., B A , LL B ,

Secretary to Government of Mysore,
Law Department,
BANGALORE

SIR

SUBJECT — Election of Mr B Thippanna as Vice-President of
Chellakere Municipal Council

I have the honour to state that after the reconstitution of Chellakere Minor Municipal Council for a period of 3 years with effect from 1st January 1941, the Municipal Council considered the question of having a Vice-President or otherwise to the said Council at its meeting held on 15-1-1941. It was resolved thereat, by a majority of votes that the Municipal Council might have a Vice-President

2 Thereafter the Municipal President took necessary action to hold the Election of the Vice-President by publishing a calendar of events. According to the said calendar 5th Feb 1941 was fixed for receipt of nominations for candidature in this respect and that 14th Feb 1941 was fixed for holding the Election

3 It is reported by the President that according to the calendar of events published in this connection the marginally*

*Messrs — noted four persons were nominated as
1 B Thippanna
2 S Sura Naik candidates for the purpose
3 A Affar Sheriff
4 B Padmanabha Rao

4 It is further stated that out of the above said four candidates, one candidate viz , Mr A Affan Sheriff withdrew his candidature by sending an application to the President through Registered post on 8-2-1941

5 The President adds that the election was held among the remaining three contesting candidates, viz , Messrs B Thippanna, B Padmanabha Rao, and S Sura Naik on 14-2-41, i e , the day fixed for holding the Election. It is seen from the President's report (Vide copy enclosed) ^{1/2} at the commencement of the Election meeting all the 15 councillors (13 non-officials and 2 ex-officios) were present and that the marginally* noted four candidates walked out of the council meeting hall just before commencement of the

election on the plea that they were not in

Messrs -
1 B Padmanabha Rao favour of participating at the Election
2 Sura Naik, S
3 B Narashimappa
4 Sovcar Muregappa

6 The election was held by the Amildar, President on 14-2-41 among the three remaining contesting candidates viz , Messrs B Thippanna, S Sura Naik and B Padmanabha Rao. It is reported that with the exception of the four councillors who walked out from the meeting hall, the rest of of the councillors i e , Eleven (8 9 non-officials and 2 ex-officios) participated at the Election and exercised their votes as per rules. At the election so held Mr B Thippanna secured all the Eleven votes while the other two contesting candidates, viz , S Sura Naik and B Padmanabha Rao, did not therefore get any vote. Mr B Thippanna who secured the highest number of votes was therefore declared elected as Vice-President to the Chellakere Municipal Council. Copies of the resolutions of the Municipal Council dated 15-1-41 and 14-2-1941 are herewith forwarded for kind reference. The names of the Municipal Councillors that were present at the Election are given therein.

7 I am to add in this connection that an objection petition signed by the marginally noted* three councillors has been since
filed

filed in this office on 20th February 1941 under Rule 12 of the

Election Rules, praying that the Election

Messrs -

1 B Padmanabha Rao of Mr B Thippanna may be ~~xxxxxx~~ set-aside
2 Sowcar Iuregappa
3 S Sura Mall on the ground that it is void for the illegal
influence and unlawful means employed by Mr

B Thippanna and his party to secure votes

(2) That the election now held is illegal and void as the form of candidature is interfered with by the President by introducing also the name of the candidate

(3) that the acceptance of the withdrawal application sent by post and acted upon by the President as contrary to rules, as the President has no power to allow or permit any candidate to withdraw once he has stood for election (Copy of the objection petition received in this office is enclosed herewith for kind reference)

8 I have referred this petition to the Sub Division Officer, Chitaldrug Sub Division, ~~Chitaldrug~~ for holding an enquiry into the validity of the objections and submitting an early report

9 I shall on receipt of the records and report of the enquiry submit a further report with my opinion to Government for orders

10 As regards the sub clause (11) of Para 4 of the objection petition, alleging that the withdrawal application sent by post has been accepted and acted upon by the President contrary to rules, the rules governing the election of Vice-Presidents to minor Municipal Councils issued with Government Notification No L 8265-Ml 245-34-2 dated 22/29th May 1935, do not contemplate the withdrawal of candidature either by the candidate or the nominee, ^{or} the authority to accept the withdrawal, while in the rules governing the election of members to the Municipal council, it is clearly laid down that "any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer before the poll has commenced" Vide Rule 10 (A) Clause 2 of the Election Rules of Members to Minor

Municipal

A // Municipal Councils issued with Government Notification No L
583-Ml 121-36-7 dated 14th July 1937 As the provisions of law
on this point are not clear, the favour of instructions is
solicited whether the withdrawal of candidature in connection with
the election of the Vice-President is regular and can be accepted
by the President as in the present case

I have the honour to be,
Sir,
Your most obedient servant,



Deputy Commissioner,
Chitaldrug District

JBR

Letter No C 106-1/40-41 dated 14-2-41 from the President, Municipal Council, Chellakere, to the Deputy Commissioner, Chitaldrug District, Chitaldrug

Re The election of Mr B Thippanna as Vice-President Municipal Council, Chellakere

I beg to state that a notice was issued on 10-1-1941 calling for a special meeting of Municipal Councillors on 15-1-41 to decide the desirability of having a Vice-President to this Municipality. In the Special meeting held on 15-1-41 it was decided by a majority that the Municipal Council, Chellakere should have a Vice-President Vide Flag A

2 Consequently to this resolution, the calendar of events was prepared and got circulated among the municipal councils. Besides, a notice was issued from this office on 25-1-41 intimating that the special meeting to elect a Vice-President will be held on 14-2-1941 at 11 A M in the Municipal Office. This was duly circulated among the Municipal Councillors

3 As per calendar of events the last date to received applications of candidature was 5-2-41 between 11 A M and 5 P M. On that day the names of four candidates were suggested i.e., Messrs B Thippanna, J Affan Sheriff, S Suranark and B Padmanabha Rao, whose names were published on 7-2-1941. Of these candidates one member i.e., Mr J Affan Sheriff withdrew his candidature on 8-2-1941

4 To-day at 11:00 clock all the Municipal Councillors were present to elect the vice-president. The ballot box was taken and ^{when} ~~xxx~~ the empty box was being locked and sealed an application signed by four councillors i.e., Messrs B Padmanabha Rao, S Suranark, Sahukar Kurigappa and B Barasimhappa was presented to me stating therein that the Councillors have subjected themselves to corruption and further they expressed their desire to non-co-operate in to-day's election

and walked out the same thing has been re
the Proceedings - Then the election proceedings do
The remaining eleven members have voted Afterwards
box was opened and the ballot papers were counted, before
the Councillors Mr B Thippanna got eleven votes and
obviously the remaining two did not get any vote Hence
as per rules I announced that Mr B Thippanna having obtained
the highest number of votes has been declared elected

5 The action taken by this office is quite in accordance
with rules Hence the election of Mr B Thippanna as Vice-
President of this Municipal Council may kindly be recommended
to be approved by Government

6 As regards the objections/ petition of Mr B Padmanabha
Rao and others, I have ~~in~~ issued endorsement that they can
approach the Deputy Commissioner on a regular appeal and that
this office cannot conduct an enquiry at this stage

The concerned election file along with the copy of
proceedings of the Special Meeting held on 14-2-41 has been
submitted as per Pherist

-o-

" C o p y "


Deputy Commissioner,
Chitaldrug District

JBR

Copy of urgent Meeting Proceedings of
Chellakere Honor Municipal Council
held on 15.1.1941 at 5 P M in the Town Hall

1 V Hanumanthappa Esq B A (Hons)
Amildar and President
Present

2 The Sub-Assistant Surgeon P
L H dispensary Chellakere

Messrs -
3 " B Padmanabha Rao P
4 " B Narasimappa P
5 " H B Mallappa P
6 " Sowcar Huregappa P.
7 " B Theppanna P.
8 " J Affan Sheriff P
9 " Rajana Veeranna P
10 " C-P Karbasavach P
11 " B S Rudrappa P.
12 " Davangur Huregappa P.

Yammate Councillors

13 " Mohamed Davood P.
14 " S Sura Vark - P
15 " B V Themmarat P

Subject : ఈ మునిసిపల్ కౌన్సిల్ యొక్క
ప్రతిపక్షం వారి ఆవశ్యకతలను

Resolution

మ.రా., సూర నాయ్కరు, వేపేపేట్రోని
తండ్రు నాటింట్ల వేంకూ, ఇరు వాంకూ
గ్రామ వేంకూ అబ్దుల్లా మువ్వన్నరు,
ఇరున్ను మ.రా., వలలిగనకపాదవరు అరు
మంజు దివివరు అంతర మ.రా., మల్లకపాదరు
మరు, పాచి అదిజ్జం 'నీరకర' నోరవరు
ఇరువర వ్యక్తరేపరిరు మారనా రే
వేపేపేట్రోని తండ్రు నాటి తండ్రు అబ్దుల్లా
పన్నరు మంజు దివివర అరు మంజు దివి
జూలిన వేపేపేట్రోని తండ్రు నాటి తండ్రు
రే మంజు దివివర అరు (పరవాసి రేమనగలు
వ్యక్తరేపరి వారి మంజు దివివర, లు రే
రవని లరు గలు తమ వకతగూ నిమ
తం రేల

(Sd) V Hanumanthaiah

15/4/41

President

Chellaluru Municipality.

"True copy"



Deputy Commissioner

Chitaldurg District

7/5/41

Proceedings of special Meeting of
Chellakere Minor Municipal Council
held on 14.2.41 at 11 A.M. in the Town Hall

1) V Hanumanthappa Esq B.A (Hons) Ambedkar
President P

2) H. Gundappa Esq Sub Assistant Surgeon
of Dispensary Chellakere P
Messrs:-

3) " B S Rudrappa P

4) " C B Hanbasavaiat P

5) " B V Thimmachak P

6) " Davangue Hneggappa P

7) " B Theppanna P

8) " J Affan Sheriff P

9) " C Mohamed Dawood P

10) " A B Mallappa P

11) " Rajana Veeranna P

12) " B Narasimappa P

13) " B Padmanabharao P

14) " S Sura Nank P

15) " Sowcar Hneggappa P

Subject:-

ವೆಂಪ್ಪೆ ಕೊಂಪ
ಕುನಾಂಕೊ ಲಸಕ್ತನಕೊ
ಪ್ರತಿಜ್ಞೆ

Resolution

ಈ ವಿಷಯವನ್ನು
ಸಂಪನ್ಮೂಲ ಕಮಿಷನರಿ
ಮುಖಾಂತಿ ವ್ಯವಸ್ಥಾಪಿಸುವ

ಹಾಕಿದ್ದಿ ನಂ ಕರವಲ ಪುತ್ರಾಕಾ ಭ್ರಮಾತನ

[illegible]

లంఘ్య
 హంజిత్వము న్మొందు కుంబరు
 ర్మముగాని మేలను మూతివనంతకేప్రే
 మంబరుగళదుమ పుమ బుచ్చి లోచ
 శాస్త్రగోళోయ లంఘ్య: నంతరమేదు
 గళన్న వ గోళమూత లంఘ్య పు||హ||
 బి తిష్టగ్ని నవగోళ స్మృతు మేలను
 గళుల వివిధములు భవ బహులముగా
 సందు మే చూచు వివిధ మేవనవియున్నవి
 వేదోద్భవతేజోవల ప్రతిభా లు గ్రహా
 పు||హ|| తిష్టగ్ని నవరు వేదోద్భవ తిష్టగ్ని
 శంకు ప్రాప్తి తింగితి ౨౬ బహుళాదిదురు.

పాశ్చాత్య నమ్మక భరితమేమోలెను

(Resolution Continued)

ಪೇಷ್ವಾ ಗಣಪ್ಪಾ ಸಂಸ್ಥಾಪಕರೊಬ್ಬರೊ
ನೀಲ ಮೂಲಂಯ್ಯ ಕೋರ್ಟ್‌ನಲ್ಲಿ
ಮೊಂಡಿಪ್ಪಾಪ್ಪಾ ಗಣಪ್ಪಾ ಮಕ್ಕಳ
ಯೋಜನೆ ಸೇರಿ ಮೊಂಡಿಪ್ಪಾಪ್ಪಾ
ಗಣಪ್ಪಾ ಇವರೊಬ್ಬರೊಬ್ಬರೊ
ನೀಲ ಮೂಲಂಯ್ಯ

(Sd) V Hanumanthappa

Amildar and President
14/2/41

Copy "

Deputy Commissioner

Belgaum District

6/3/41

IN THE COURT OF THE DEPUTY COMMISSIONER, CHITLDRUG DISTRICT

Election Appeal Petition No /40-41

--

Appellants (Petitioners) -

- 1 S Suranaik
- 2 B Padmanabha Rao
- 3 Sahukar Murigappa,
All Municipal councillors and residents of Challakere town

VS

Respondents -

- 1 B Thippanna
- 2 H B Pillappa
- 3 B S Rudreppa
- 4 Davangere Murigappa
- 5 Rajana Veeraiah
- 6 Patel Karibasappa
- 7 B V Thimmaiah
- 8 B Naresimhappa
- 9 Haffan Sheriff
- 10 Davood

All Municipal councillors of Municipality, Challakere,
residing at Challakere

ELECTION APPEAL PETITION UNDER SECTION 12 OF THE RULES FRAMED
UNDER THE MINOR MUNICIPALITY'S REGULATION

The appellants-petitioners beg to appeal against the election of Mr B Thippanna (1st respondent) as Vice-President of Challakere Municipality held on 14-2-1941 under the Presidentship of the Amildar, Challakere. The grounds of appeal are the following among others -

- 1 The appellants are three of the 13 non-official municipal councillors of Challakere
- 2 Appellants 1 and 2, & Haffan Sheriff, (9th respondent) and the 1st respondent had stood as candidates for the Vice-Presidentship and the 1st respondent is declared elected
- 3 The election of B Thippanna - 1st respondent cannot stand as the same is vitiated by fraud, undue influence and corruption used by himself and his party in securing the votes. Haffan Sheriff who had himself stood as a candidate withdrew his candidature as a result of the illegal means employed by the 1st respondent. Vote of this person as well as that of Davood Sab, B V Thimmaiah and others were secured likewise
- 4 The election is also illegal and void -
 - 1) as the form of candidature is interfered with by the President by introducing also the name of the candidate and
 - ii) as the withdrawal application sent by Haffan Sheriff through post has been accepted and acted upon by the President contrary to rules. The President has no power to allow or permit any candidate to withdraw once he has stood for election

- 5 The appellants have even before the election p
regarding (corruption etc) before the President no
have wired also to the Deputy Commissioner
- 6 But for the above unlawful means and illegalities employ
by the 1st respondent and his party, 1st respondent would
not have been successful
- 7 The 1st appellant had every chance and certainly of coming
out successful
- 8 The election is also otherwise void and against procedure

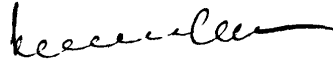
For the foregoing among reasons the appellants humbly pray that
this honourable Court might be pleased to enquire into the validity
of the election held on 14th February 1941 herein Mr B Thiopanna
has been elected Vice-President and set aside the same and order a
fresh election

Chitaldrug,
Dated, 20-2-41

Sd B Padmanabha Rao
" Gohukar Durigappa
" S Suranaika

-o-

" C o p y "



Deputy Commissioner,
Chitaldrug District

J37

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

IMMEDIATE

General and Revenue Secretariat

No *8868*

May 1941.
Dated, Bangalore,

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department

TO

The Deputy Commissioner,
Chitaldrug District.

S i r,

I am directed to invite reference to your letter No.A6C 2139/40-41 dated the 6th March 1941 in regard to the election of Mr.Thippanna as Vice President of the Chellakere Minor Municipal Council and to request you to send up without any further delay the further report promised by you in the matter

In regard to the point viz., whether the withdrawal of candidature in connection with the election of the Vice President is regular - on which instructions are sought, I am to point out that, although there is no rule authorising the withdrawal of candidature for the Vice Presidency in the rules regulating the election of Vice Presidents of Minor Municipal Councils, the action taken by the President in accepting the withdrawal of Mr. Affan Sheriff from candidature does neither vitiate the election nor does it amount to a material irregularity, as the practice in vogue in that Municipality - as well as in other Municipalities, - in ~~xxxxxx~~ that respect has been followed by him. This conclusion is further strengthened by the fact that Mr Affan Sheriff - himself attended the meeting on the 14th February 1941 and voted for Mr Thippanna, the successful candidate and his withdrawal from candidature has to be construed as one of his own free will. The objection of the appellants is very technical and cannot in the circumstances be considered as valid

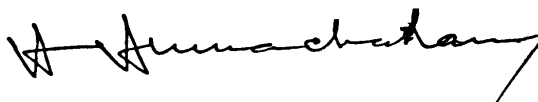
I am to add however that action is being separately taken to add a rule to the rules regulating the election of Vice Presidents

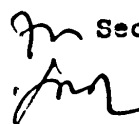
in Minor Municipalities authorising such withdrawals from candidates for Vice Presidentship.

I have the honour to be,

S i r,

Your most obedient servant.



 Secretary to Government,
Law Department.

KR/2.

Appendix F G-1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

()
the 19

Date of issue

11th June 1941

Signed by

Mr. A. Annacharya

Last of enclosures

Copied by

NR 2/6

Examined by

Immediate Section
File No
Serial No

No 48863

To

Mr Deputy Commr.
Chitaling Dist

Sir,

I am directed to
write reference to
your letter no MC 2138
200-41
dated the 6th March 1941
in regard to the election
of Mr. Vippanna as vice
President of the Chitaling
Municipal Council to request
you to send up without
any further delay the papers

report furnished by you on
the matter

In regard to the point
~~on which~~ viz: whether the withdrawal
of candidature in connection with
the election of the Vice-President is regular -
in which instructions are sought,
I am to point out that, although
there is no rule authorizing the
withdrawal of candidature for the
Vice-Presidency in the rules regulating
the election of Vice-Presidents of the N.C.C.,
the action taken by the President
in accepting the withdrawal of Mr. Affen
Schiff from candidature does neither
violate the election rule nor does it
amount to a material irregularity,
as the practice in regard to that rule - as well as in other rules -
in that respect has been followed by him.
This conclusion is further strengthened by
the fact that Mr. Affen Schiff himself
attended the meeting on the 14th July 1911
and voted for Mr. Whipple, the successful
candidate and his withdrawal from candidature

GENERAL AND REVENUE
SECRETARIAT

(Continuation sheet draft form)

has to be construed as
one of his own free will. in the
circumstances. The objection
of the appellants ^{is very recent} cannot
in the ~~en~~ in the case
be considered as valid.

I am to add however
that action is being
separately taken to
add a rule to the
rules regulating the election
of vice presidents ^{in future months} anything
such withdrawn from
candidates for vice president.
This rule cannot have
retrospective effect so as to
apply to this case. I have

Wt
Incey/rym
San sepm

Tel Address —Depcom
CHITALDRUG

In reply please refer to
No A6.C 2139/40-41
Enclosures File of Records

320-
OFFICE OF THE DEPUTY COMMISSIONER,
CHITALDRUG DISTRICT

Dated Chitaldrug, 12th July 1941

FROM

R P MALLAPPA, Esq, B A, LL B,

Deputy Commissioner

Chitaldrug District

CHITALDRUG

H V Narayana Rao, Esq, B A, LL B,
Secretary to Government,
Law Department,
Bangalore

SIR,

SUBJECT — Election of Mr B Thippanna, as Vice
President of Chellakere Municipal Council

In continuation of this office letter of even number dated 6th March 1941 and with reference to your letter No L 8863/ dated 11th June 1941 on the above subject requesting me to expedite my further report in this connection, I have the honour to forward herewith in original the entire file of correspondence received from the Sub Division Officer, Chitaldrug with his report No R3 P R 175/40-41 dated 8th July 1941, together with the proceedings of the enquiry held by him for kind reference of Government and to state as follows -

The Sub Division Officer, Chitaldrug has held a detailed enquiry into the objection/ petition contesting the validity of the present election and has discussed in detail as to how far the several objections contained therein are tenable. In the conclusion, the Sub Division Officer opines that the present Election proceedings re election of Mr B Thippanna, as Vice President of the Chellakere Municipality held on 14th February 1941 and now under contest, deserves to be upheld as there are no material grounds to vitiate the same. I agree with the views of the Sub Division Officer, Chitaldrug

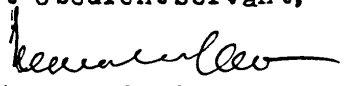
I am to add in this connection that for want of a Vice

President, the routine work of the Municipality has been held up

In these circumstances I request that the Election of Mr B Thippanna as Vice President of the Chellakere Municipality may kindly be approved and be kindly caused to be notified in the Mysore Gazette

The entire file of records accompany for favour of reference and kind return when done with

I have the honour to be,
Sir,
Your most obedient servant,


Deputy Commissioner,
Chitaldrug Dist

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No *[525/11256-41-4]* General and Revenue Secretariat
Dated Bangalore, *24th* July 1941.

NOTIFICATION

Under Section 10 (4) of the Mysore Minor Municipalities Act, 1933, Mr. B. Thippanna is elected as the Vice-President of the --
Chellakere Minor Municipal Council, Chitaldrug District.

By Order,

H. Annachalam
for Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette for publication in Part III-3 of
Gazette and supply of ten copies thereof to the Secretariat and
to the Deputy Commissioner of the District concerned.

12 copies
ab ml 56-41-4
GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore *24th July 1941*

NOTIFICATION

100/525
Under ~~Section 23 (4) of the Mysore~~
Section 10 (4) of the Mysore

~~Town Municipalities Act, 1933~~

Minor Municipalities Act 1933

is elected as the Vice-President of the

~~Town Municipal Council~~

Minor Municipal Council

Mr B Thippanna

Chitaldurg

Chellakere
District,

sd. by M. A. Arunachalam

By Order,

For Secretary to Government
Law Department

To—The Compiler, Mysore Gazette for publication in Part III-3 of Gazette and supply of ten copies thereof to the Secretariat and to the Deputy Commissioner of the District Concerned

MEMO NO.

1526/L-2: records dated 24th July 1941

Copy of the above is forwarded with compliments to the Deputy Commissioner, *Chitaldurg* District for information with reference to his letter No *46 c 2187* dated *12-7-1941*
the copies ending with
The records accompany *40-41*

By Order,

For Secretary to Government,
Law Department

NOTIFICATION

*No L 1571—Ml 56 41 21, dated Bangalore,
the 20th August 1941*

In exercise of the powers vested in them by and under Section 23 (4) of the Mysore Town Municipalities Act, 1933, as amended from time to time, Government are pleased to direct that the following sub rule be added as 6 A to the rules regulating the election of Vice Presidents of Town Municipal Councils in the State, published in Notification No L 8264—Ml 245 34 1, dated 22nd—29th May 1935 —

"6 A Any candidate for the office of the Vice-President may withdraw his candidature by notice in writing subscribed by him and delivered to the Presiding Authority before the poll has commenced. A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal."

By Order,
H V NARAYANA RAO,
*Secretary to Government,
Law Department*

after section
added from
following
action of
, published
by 1933:-
'
ident
subscribed
before the
own his
with 'cancel'."

7

Part IV of
Serial and

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No 1571/11256-41-21

General and Revenue Secretariat,

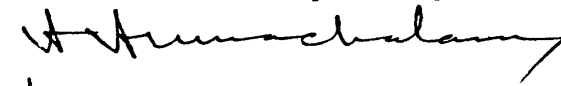
Dated Bangalore, 20th August 1941.

NOTIFICATION

In exercise of the powers vested in them by and under Section 23(4) of the Mysore Town Municipalities Act, 1933, as amended from time to time, Government are pleased to direct that the following sub-rule be added as G A to the rules regulating the election of Vice- presidents of Town Municipal Councils in the State, published in Notification No.L.0264/11.245-34-1 dated 22nd/29th May 1933:-

*G.A. Any candidate for the office of the Vice-President may withdraw his candidature by notice in writing subscribed by him and delivered to the Presiding Authority before the poll has commenced. A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal.

By Order,


Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette for publication in Part IV of the Gazette and supply of 25 copies to the Secretariat and each of the Deputy Commissioners of Districts.

ppendix F G-1]

U B J E C T

Diary No of letter replied to

General and Revenue Secretariat

()
the 19

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section

File No 56-41

Serial No 21

No

To

at
1571
1557
Mr. A. Arunachalam
20th August 41
to Mr. A. Arunachalam
under Sec 23(4) of
the Mysore Municipal
Act 1933 as amended
from time to time, for
are pleased to direct that
the following sub-rule be
added as 6 A to the
rules regulating the
election of members of
Town Municipal
Council in the State,

6 A Any candidate for the
 office of the receiver may
 withdraw his candidature by notice
 in writing submitted by him & delivered
 to the Presiding Authority before
 the poll has commenced. A candidate
 who has withdrawn his candidature
 shall not be allowed to cancel
 such withdrawal.

B O

Hm
 9/8/41

Leg top

Law Dept

20 The compiler, Mysore Gazette publication
 Part IV of the Gazette supply of records to the
 Secretariat to the DCS & others
 Memo L1572-80/M dated 20th August 1941
 copy of the DCS &
 DMS for information & guidance

B.O

Hm
 DCS top
 Law Dept

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No 11581/1156-41-23 General and Revenue Secretariat,
Dated Bangalore, 20th August 1941.

NOTIFICATION

In exercise of the powers vested in them by and under Sections 10(4) and 106(2)(b) of the Mysore Minor Municipalities Act, 1933, as amended from time to time, Government are pleased to direct that the following sub-rule be added as 6 A to the Rules ~~xx~~ regulating the election of Vice-Presidents of Minor Municipal Councils in the State, published in Notification No.L.8265/Ml. 245-34-2 dated 22nd/29th May 1935:-

"6.A. Any candidate for the office of the Vice-President may withdraw his candidature by notice in writing subscribed by him and delivered to the Presiding Authority before the poll has commenced. A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal."

By Order,
(Sd) H V Narayana Rao
Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette for publication in Part IV of the Gazette and supply of 25 copies to the Secretariat and the Deputy Commissioners of Districts each

Memo No. 11582-90 Dated 20th August 1941.
H-C

Copy of the above is forwarded, with compliments, to the Deputy Commissioners of all District, for information and guidance.

By Order,
W. H. Acharya
Secretary to Government,
Law Department.

Appendix F G-1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

()
the 19

Date of issue 19 6 41

Signed by Mr. A. A.

List of enclosures

Copied by

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al

1/2/41

Section

File No

Serial No

al

56-41

2/41

No. 1560 Notification

To

Notification
In exercise of the powers vested in

by and under Section 23(4) of

the Mysore Town Municipalities

Act, 1933, and Sections

10(4) and 106(2)(b) of the Mysore

Minor Municipalities Act, 1933, as

amended from time to time,

Govt- are pleased ^{direct that} to ~~order~~ ^{be added} the

following sub-rule ~~to~~ ^{to} 6 A to
the Rules regulating the election

of vice-presidents of ~~Town~~

~~and~~ Minor Municipal Councils

respectively - in the State

[Add after 6 (3) of the Act]

published in vol. no 2 (2015) no. 15
on 22/12/2015

of the said Rules the following
as 6(A)

for the use of the Vice President

6. Any candidate may withdraw his
Candidature by notice in writing subscribed
by him and delivered to the Presiding
Authority before the poll has commenced
A Candidate who has withdrawn

his candidature shall not be
allowed to cancel such withdrawal"

A

By order

WV

For Secretary to Govt -
Law Dept -

2 7

OGA-20/4/56

The Compiler, Mys. Gaz for publication in the Gazette
10-11-56
in the By-laws of Dist for information and guidance

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. *1571/M156-41-21* General and Revenue Secretariat,
Dated Bangalore, *20th* August 1941.

NOTIFICATION

In exercise of the powers vested in them by and under Section 23(4) of the Mysore Town Municipalities Act, 1933, as amended from time to time, Government are pleased to direct that the following sub-rule be added as 6 A to the rules regulating the election of Vice-Presidents of Town Municipal Councils in the State, published in Notification No L.8264/M1.245-34-1 dated 22nd/29th May 1935 -

"6.A. Any candidate for the office of the Vice-President may withdraw his candidature by notice in writing subscribed by him and delivered to the Presiding Authority before the poll has commenced. A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal."

By Order,
(sd) *H V Narayana Rao*

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette for publication in Part IV of the Gazette and supply of 25 copies to the Secretariat and each of the Deputy Commissioners of Districts.

Memo No. *1572-80* Dated *20th* August 1941.
HC

Copy of the above is forwarded, with compliments, to the Deputy Commissioners *of all* Districts for information and guidance.

By Order,
H. Annabalu
For Secretary to Government,
Law Department.
in